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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Jimmy K. Omura, James J. Spilker, Jr. and Matthew Rabinowitz

APPLICATION NO.: 10/003,128

FILING DATE: November 14, 2001

TITLE: Robust data transmission using broadcast digital television signals

EXAMINER: Unassigned

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GROUP ART UNIT: 2661

MAR 15 2002

ATTY. DKT. NO.: 22845-05952

Technology Center 2600

**CERTIFICATE OF MAILING**

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Dated: March 1, 2002

By: Michael W. Farn

Michael W. Farn, Reg. No. 41,015

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

**INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
JIMMY K. OMURA et al.

Dated: March 1, 2002

By: Michael W. J.

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FORM PTO-1449 (REV. 6-89)		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office		Attorney's Docket No. 22845-05952	Serial No. 10/003,128		
<b>INFORMATION DISCLOSURE CITATION</b>							
(Use several sheets if necessary)		MAR 11 2002		Applicant Jimmy K. Omura et al.			
				Filing Date November 14, 2001	Group Art Unit 2661		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,157,686	10/20/92	Omura et al.	375	1	06/24/91
	B	5,166,952	11/24/92	Omurg [a] et al.	375	1	05/24/90
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<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Subclass	Translation
							Yes
							No
<b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER		DATE CONSIDERED					
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Include copy of this form with next communication to applicant.							

EXAMINER

**DATE CONSIDERED**

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PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0001/PTO  
Rev. 10/95U.S. Department of Commerce  
Patent and Trademark Office

Application Number

10/003,128

Filing Date

November 14, 2001

First Named Inventor

Jimmy K. Omura

Group Art Unit Number

2661

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Examiner Name

Unassigned

MAR 15 2002

Total Number of Pages in This Submission

5 \*

Attorney Docket Number

22845-05952

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**ENCLOSURES (check all that apply)**

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REMARKS: \* Does not include pages in reference(s).

**SIGNATURE OF ATTORNEY OR AGENT**

Signature:



Attorney/Reg. No.:

Michael W. Farn, Reg. No. 41,015

Dated: March 1, 2002

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Typed or Printed Name:

Michael W. Farn

Dated: March 1, 2002

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